In re:	Caroline M.	Williford))	Case No. 12-21218-PRW Chapter 13	
		Debtor(s).)		
NOTICE OF MOTION					

PLEASE TAKE NOTICE that a hearing will be held before the Honorable Paul R. Warren, Bankruptcy Judge, on:

June 18, 2015 at 11:30 a.m. United States Bankruptcy Court 1550 U.S. Courthouse 100 State Street Rochester, NY 14614

to consider the motion objecting to claim filed by George M. Reiber, Chapter 13 Trustee (the "Objecting Party") to the claim of American Tax Funding, LLC. (Claim #9, Court Claim #6) in this case only if a written request for a hearing is filed by the claimant as outlined below.

PURSUANT TO F.R.B.P. 9014 AND THE STANDING ORDERS IMPLEMENTING DEFAULT PROCEDURES IN ROCHESTER AND WATKINS GLEN: IF YOU INTEND TO OPPOSE THE MOTION: AT A MINIMUM YOU MUST SERVE: (1) THE MOVANT AND MOVANT'S COUNSEL, AND (2) IF NOT THE MOVING PARTY (A) THE DEBTORS AND DEBTOR'S COUNSEL; (B) IN A CHAPTER 11 CASE, THE CREDITORS' COMMITTEE AND ITS ATTORNEY, OR IF THERE IS NO COMMITTEE, THE 20 LARGEST CREDITORS; AND (C) ANY TRUSTEE. IN ADDITION, YOU MUST FILE WITH THE CLERK OF THE BANKRUPTCY COURT WRITTEN OPPOSITION TO THE MOTION NO LATER THAN THREE (3) BUSINESS DAYS PRIOR TO THE RETURN DATE OF THIS MOTION NOT WITHSTANDING THE DECEMBER 1, 2009 AMENDMENTS TO F.R.B.P. 9006(a). IN THE EVENT NO WRITTEN OBJECTION IS SERVED AND FILED, NO HEARING ON THE MOTION WILL BE HELD ON THE RETURN DATE AND THE COURT WILL CONSIDERS THE MOTION AS UNOPPOSED.

DATED this <u>15th</u> day of May, 2015.	
Rochester, NY	<u>/s</u> /
	George M. Reiber
	Chapter 13 Trustee

George M. Reiber Chapter 13 Trustee 3136 S. Winton Road Rochester, NY 14623 (585) 427-7225

To: Caroline Willilford
Louis Asandrov, Esq.
United States Trustee
Allan L. Hill, Esq, Attorneys for American Tax Funding, LLC.

In re:	Caroline M. Williford) Case No. 12-21218-PRW
	Debtor(s).) Chapter 13)
	MOTION OBJECTING TO	CLAIM AND SUPPORTING STATEMENT
	George M. Reiber, Chapter 13	Trustee, pursuant to F.R.B.P. 3007 and 11 U.S.C. § 502
moves	this Court objecting to the follow	ing claim:
Claim	ant name: American Tax Funding,	, LLC.

In support of this motion, the Trustee alleges as follows:

Claim: #9

Court claim: #6

1. On July 23, 2012, Debtor filed a voluntary petition commencing a case under Chapter 13 of the Bankruptcy Code.

Amount: \$2,811.13

- 2. The plan was filed February 15, 2013 (ECF BK No. 43). It treated City of Rochester as a priority proof of claim. The City never filed a proof of claim; therefore, no payments are being made to the City of Rochester. Said plan was confirmed on March 11, 2013 (ECF BK No. 46).
- 3. On July 22, 2014, a claim was filed by American Tax Funding, LLC. in the amount of \$2,811.13 for the 2010 and 2011 City of Rochester real estate tax years, at Court Claim #6.
- 4. The government bar date for filing claims was January 22, 2013. The plan was confirmed after the government bar date had passed (ECF BK No. 46). Since this claim was filed after that date, the claim should be disallowed.

5. Based on the preceding information, the validity presumption under Rule 3001(c) is rebutted.

WHEREFORE, the Trustee respectfully requests this Court to

- A. disallow the above-referenced claim; and
- B. grant any other relief as the Court deems just and proper.

DATED this _	<u> 15th</u>	day of May,	2015.
Rochester, NY	Y		

George M. Reiber Chapter 13 Trustee 3136 S. Winton Road Rochester, NY 14623 (585) 427-7225

In re: Caroline M. Williford) Case No. 12	2-21218-PRW
) Chapter 13	
Debtor(s).)	
	ORDER	
Upon Trustee's motion objecting to cla 18, 2015, at 11:30 a.m., after adequate the herein objection to the claim of Am \$2,811.13 and the Court having consideral claim, it is hereby	notice to all parties in in herican Tax Funding, LLC	nterest, no one having opposed to C. (Claim #9, Court Claim #6) for
ORDERED, that pursuant to 11	U.S.C. §502 (b), the claim	im is:
	<u>X</u>	DISALLOWED
		ALLOWED AS A TIMELY FILED CLAIM IN THE AMOUNT OF \$
		ALLOWED AS A TARDILY FILED CLAIM IN THE AMOUNT OF \$
D . 1		OTHER
Dated: Rochester, New York		
	HO	NORABLE PAUL R. WARREN
		BANKRUPTCY JUDGE

In re: Caroline M. Williford)) Case No. 12-21218-PRW		
)	Chapter 13		
Debtor(s).)			
Al	FFIDAVIT OF	SERVICE		
STATE OF NEW YORK) COUNTY OF MONROE) SS.:				
AJH, being duly sworn, depo	oses and says:			
That deponent is not a party County of Orleans and State of New		and is over 18	years of age and resides in the	
That on May 15, 2015, depoi on the following persons or person addresses:			and Motion Objecting to Claim e of process, at their respective	
Caroline M. Williford 318 Selye Terrace Rochester, NY 14613	Louis Asandrov, 291 Plymouth A Rochester, NY 1	ve S.	U.S. Trustee 100 State Street Room 6090 Rochester, NY 14614	
Allen L. Hill, Esq. c/o Phillips Lytle LLP. First Federal Plaza 28 East Main Street, Suite 1400 Rochester, NY 14614	American Tax Fo Attn: Tadgh Mac PO Box 863517 Orlando, FL 328	caulay, Vice Presid	lent	
City of Rochester City Treasurer City Hall Room 100-A Rochester, NY 14614	Attn: Sue Sutera 30 Church Street	City of Rochester Attn: Sue Sutera, Law Dept. 30 Church Street, RM 400A City Hall Rochester, NY 14614		
The above addresses being the addre true copy of same enclosed in a post under the exclusive care and custody	paid properly	addressed wrap	per, in a post office depository	
		/s/		
Sworn to before me this _15th _ day of _ May, 201:	5	AJII		
/s/LMC, Notary	_			
LIVIC, INDIALY				